IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 2220 of 2005

Between:

Kandula Pullaiah, s/o Ramaiah,
r/o Kusumanchi Village & Mandal, Khammam District.

..... PETITIONER

AND

1 The District Collector, Khammam.
2 The Superintending Engineer, R&B, Khammam Circle, Khammam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or direction preferably writ of mandamus declaring the action of the 2nd respondent in taking steps to dispossess the petitioner from his land admeasuring Ac.0.15 gts., in Sy.No.781, situated at Kusumanchi Village & Mandal of Khammam District, without issuing any notice and without initiating proceedings as per law is illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents and their staff not to dispossess the petitioner from the said land.

Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondents: GP FOR ROADS & BUILDINGS

The Court made the following :

ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the 2nd respondent in taking steps to dispossess the petitioner from his land admeasuring Ac.0.15 gts. in S.No.781, situated at Kusumanchi Village and Mandal of Khammam District without issuing any notice and without initiating proceedings as per law as illegal, arbitrary and in violation of principles of natural justice.

During the course of arguments, the learned Government Pleader for Roads and Buildings, on instructions, has brought to the notice of this Court that the respondents have not touched the land of the petitioner even an inch.

In the light of above the submission, the writ petition is disposed of. In the circumstances of the case, there shall be no order as to costs.

(K.C. BHANU, J.)

10th February, 2005.

bcj

To

1 The District Collector, Khammam.
2 The Superintending Engineer, R&B, Khammam Circle, Khammam.

3 Two C.Cs. to the Government Pleader for Roads and Buildings, High Court Buildings, Hyderabad (OUT)

4 Two C.D. copies